

### **Prop 47 Quick Reference**

<b>Charge</b>	<b>Misdemeanor</b>	<b>Felony</b>
HS 11350(a): Possession of Heroin/Cocaine, etc	1 year max	Super Strike or PC 290(c)
HS 11357(a) Possession of Concentrated Cannabis	1 year max	Super Strike or PC 290(c)
HS 11377(a) Possession of Methamphetamine, etc	1 year max	Super Strike or PC 290(c)
PC 459.5 – Shoplift - Enter commercial establishment - Intent to commit larceny - During regular business hours - Property is less than \$950	6 months  Cannot charge shoplift and petty theft or 2 <sup>nd</sup> degree burglary	Super Strike or PC 290(c), or  Still a 2 <sup>nd</sup> degree burglary if after business hours, not a retail establishment, amount over \$950, or a vehicle burglary
PC 473 –Punishment for forgery of a check, bond, bank bill, note, cashier’s check, traveler’s check or money order. Applies to:  PC 470(a), 470(d), 475(a), 475(b), 475(c), 476	1 year max  <b>\$950 or Less</b>  Cannot aggregate the value of a check	Super Strike or PC 290(c), or  Amount is over \$950, or  Also convicted of Identity Theft per PC 530.5
PC 476a –Making, drawing or uttering of checks, drafts, or orders	1 year max  <b>\$950 or Less</b> Can aggregate value	Super Strike or PC 290(c), or Aggregate amount is over \$950, or Three or more prior convictions for 470, 475, 476 or 476a.
PC 490.2 – Punishment for Grand Theft. Applies to:  PC 487(b), 487(c), 487(d)(1), 487(d)(2), 487a, 484e(a), 484e(b), 484e(d)	6 months  <b>\$950 or Less</b>	Super Strike or PC 290(c), or Amount is over \$950 Aggregate may be applicable depending upon statutory elements of crime
PC 496a – Receipt of stolen property\$950 or under	1 year max <b>\$950 or Less</b>	Super Strike or PC 290(c), or More than \$950
PC 666/484 – Petty with a Prior  [Charged as 666(a) and 666(b)]	Without a requisite prior, there is no such thing as misdemeanor Petty with a Prior.	Theft prior <b>plus</b> Super Strike, or PC 290(c), or Any prior conviction for PC 368(e) or (d)

Source: *List Rodriguez, San Diego District Attorney’s Office*

\*Any Defendant charged as a Felon on this chart, due to prior Super Strike (PC 667(e)(2)(C)(iv) or PC 290(c) registration will be sentenced pursuant to PC 1170(h)(3). They will serve an executed term in state prison. Otherwise, the term will be 16, 2 or 3 in local prison.